

No. PD-0963-19

TO THE COURT OF CRIMINAL APPEALS
OF THE STATE OF TEXAS

FILED
COURT OF CRIMINAL APPEALS
2/13/2020
DEANA WILLIAMSON, CLERK

HARRY DONALD NICHOLSON, JR.,

Appellant

v.

THE STATE OF TEXAS,

Appellee

Appeal from Navarro County
Appellate Cause Number 10-18-00360-CR
Trial Cause Number D37996-CR

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**STATE'S MOTION TO EXTEND TIME FOR
FILING ITS BRIEF ON THE MERITS**

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TO THE HONORABLE COURT OF CRIMINAL APPEALS:

The State Prosecuting Attorney respectfully submits its motion to extend the time for filing the State's brief on the merits. Under Rule of Appellate Procedure 10.5(b), the State moves to extend the time for filing its brief until February 28, 2020, fifteen days from its original due date of February 13, 2020. The State has made no previous request to extend time to file a brief in this cause but asks for additional time for good cause, namely, because the State Prosecuting Attorney has only today received the video and audio exhibits, which are potentially relevant to Appellant's

sufficiency issue. Therefore, the State prays that its motion to extend the time for filing its petition until February 18, be granted.

Respectfully submitted,

/s/ Emily Johnson-Liu

Assistant State Prosecuting Attorney

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CERTIFICATE OF SERVICE

Today, February 12, 2020, a copy of the foregoing State's Motion to Extend Time was served *via* certified electronic service provider or email to:

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/s/ Emily Johnson-Liu

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